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December 19, 2003

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date below:

December 19, 2003
Date

Monica A. De La Paz

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 09/989,695 entitled "LIPOSOMAL IMEXON" – by Gabriel Lopez-Berestein et al.*
Our reference: UTSC:648US
Client reference: MDA00-024

Sir:

Please find enclosed an Election Under 37 C.F.R. §§3.71 and 3.73 and Power of Attorney on behalf of Board of Regents, The University of Texas System. A return postcard to acknowledge receipt of this document is also enclosed. Please date stamp and mail this postcard.

It is believed that no fee is due with this communication; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/UTSC:648US.

Respectfully submitted,

Monica A. De La Paz
Reg. No. 54,662

MAD/jle
Encl: as noted

25368608.1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gabriel Lopez-Berestein
William A. Remers
Evan M. Hersh

Group Art Unit: 1615

Examiner: Unknown

Serial No.: 09/989,695

Atty. Dkt. No.: UTSC:648US/SLH

Filed: November 20, 2001

For: LIPOSOMAL IMEXON

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being an Assignee of record of an interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Louis T. Pirkey, Reg. No. 22,393; David D. Bahler, Reg. No. 30,932; Christopher R. Benson, Reg. No. 31,941; David L. Parker, Reg. No. 32,165; Richard J. Groos, Reg. No. 32,231; William G. Barber, Reg. No. 33,154; Michael S. Metteauer, Reg. No. 34,875; Jeffrey D. Mills, Reg. No. 39,954; Mark B. Wilson, Reg. No. 37,259; Steven L. Highlander, Reg. No. 37,642; Stephen P. Meleen, Reg. No. 40,724; Robert E. Hanson, Reg. No. 42,628; Michael C. Barrett, Reg. No. 44,523; Mark T. Garrett, Reg. No. 44,699; Gina N. Shishima, Reg. No. 45,104; Charles P. Landrum, Reg. No. 46,855; Michael R. Krawzsenek, Reg. No. 51,898; Sharon A. Beresford, Reg. No. 52,615; and Monica A. De La Paz, P-54,662;

each an attorney or agent of the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Steven L. Highlander
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
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ASSIGNEE:
BOARD OF REGENTS, THE UNIVERSITY
OF TEXAS SYSTEM

By: Cullen M. Godfrey
Name: Cullen M. Godfrey
Title: Vice Chancellor and General
Counsel

Date: August 7, 2003

ASSIGNMENT:

- ☒ Concurrently filed
☐ Previously recorded

Date:

Reel:

Frames: